

## Message Text

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ORIGIN ARA-14

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SCS-03 DHA-02 H-01 NSC-05 DEAE-00 PA-01 PRS-01  
USIA-06 /056 R

DRAFTED BY ARA/AND - MR. LEVINE:LEE  
APPROVED BY ARA - MR. LUERS  
ARA/AND - MR. BARNEBEY  
D - MR. LAMB  
SCA - MR. HENNEMEYER  
S/IG - MR. SAYRE  
S/NM - MS. FALCO  
L - MR. FIELDS

-----160609Z 086842 /21  
R 160006Z JUN 77  
FM SECSTATE WASHDC  
TO AMEMBASSY LA PAZ

C O N F I D E N T I A L STATE 139247

FOR AMBASSADOR FROM LUERS, ACTING ASSISTANT SECRETARY

E.O. 11652: GDS

TAGS: CASC, BL, US

SUBJECT: US CITIZEN PRISONERS IN BOLIVIA: PROPOSAL TO SEND  
A NEGOTIATING TEAM TO LA PAZ

1. IN THE PAST MONTH WE HAVE MADE SEVERAL HIGH-LEVEL  
APPROACHES TO THE GOB IN AN ATTEMPT TO MAKE PROGRESS ON THE  
PRISONER PROBLEM. ON MAY 16, ASSISTANT SECRETARY TODMAN WAS  
ASSURED THAT SENTENCING OF SEVERAL CASES WOULD TAKE PLACE IN  
THE VERY NEAR FUTURE AND THAT AT LEAST SOME PRISONERS WITH  
WEAK CASES OR WITH CHARGES OF POSSESSION OF SMALL AMOUNTS OF  
NARCOTICS WOULD BE RELEASED. WE NOW SEE NO EVIDENCE THAT  
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ANY PRISONERS WILL BE RELEASED UNTIL AT LEAST THE LATTER  
PART OF JULY. TO CONTINUE OUR EFFORTS AIMED AT ACHIEVING A  
MUTUALLY SATISFACTORY SOLUTION TO THE PRISONER PROBLEM, I  
PLAN TO RECOMMEND TO THE DEPUTY SECRETARY THAT A NEGOTIATING  
TEAM COMPRISING ACTIVE DUTY AND RETIRED SENIOR OFFICIALS  
VISIT LA PAZ THIS MONTH. THIS TELEGRAM OUTLINES THE OB-  
JECTIVES, RESOURCES AND PROPOSED COMPOSITION OF THE TEAM.

PLEASE CABLE YOUR REACTIONS AND SUGGESTIONS AS SOON AS POSSIBLE FOR INCORPORATION IN MY MEMORANDUM TO THE DEPUTY SECRETARY.

2. OBJECTIVES: IT IS MY IMPRESSION, DRAWN FROM THE EXPERIENCES OF YOU AND YOUR STAFF, AND AS WELL AS FROM OTHER

DEPARTMENT OFFICIALS WHO HAVE VISITED BOLIVIA, THAT THE BOLIVIANS ARE ANXIOUS TO ALLEVIATE THE PROBLEM. AT A TIME WHEN BOLIVIA IS ATTEMPTING TO MAINTAIN POLITICAL STABILITY AND ECONOMIC GROWTH, A PRIMARY GOB CONCERN MUST BE THE AVOIDANCE OF SERIOUS BILATERAL PROBLEMS WITH THE US. THEREFORE, I BELIEVE THAT THE GOB IS WILLING TO TAKE STEPS TO RELIEVE THE INTENSE PRESSURE IN THE US, IF NOT END THE PROBLEM ENTIRELY. WHAT-EVER IS DONE MUST BE ACCEPTABLE IN DOMESTIC POLITICAL TERMS. THE VISIT OF A GROUP WHOSE MAIN PURPOSE IS TO DISCUSS AND NEGOTIATE RATHER THAN INVESTIGATE MIGHT ASSIST THE GOB IN MOVING TOWARD AN ACCEPTABLE OUTCOME. THE TEAM'S OBJECTIVES WOULD BE TO:

A. IMPRESS UPON THE GOB OUR HIGH-LEVEL INTEREST IN RESOLVING THE PROBLEM;

B. SEEK SPEEDY RESOLUTION OF PRISONER CASES -- TO INCLUDE EXPEDITIOUS RELEASE OF THOSE CASES WHERE EVIDENCE IS VERY WEAK OR INVOLVES MINOR CHARGES;

C. ENCOURAGE THE USE OF ALL AVAILABLE REMEDIES UNDER CONFIDENTIAL

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THE BOLIVIAN JUDICIAL CODE TO ACCELERATE PROCESSING OF THE REMAINING CASES, INCLUDING EMPLOYMENT, WHEREVER POSSIBLE, OF STAY PROCEDURE IN THOSE CASES WHERE PROSECUTABLE EVIDENCE IS LACKING (AS IN FRYER CASE).

D. STRESS OUR INTEREST IN HUMAN RIGHTS, INCLUDING OUR CONCERN OVER REPORTED PHYSICAL MISTREATMENT OF PRISONERS DURING INTERROGATION AND IMPRISONMENT; AND

E. CONSULT WITH THE EMBASSY ON WAYS IN WHICH IT CAN FURTHER IMPROVE SERVICES TO THE PRISONERS. THIS WOULD INCLUDE AN EXAMINATION OF THE TYPES OF SERVICES THAT ARE PROVIDED OR HAVE BEEN PROVIDED. THIS INFORMATION WOULD BE EXTREMELY USEFUL IN RESPONDING TO CONGRESSIONAL CONCERN ABOUT EMBASSY TREATMENT OF ARREST CASES AS WELL AS TO ENABLE US TO PROVIDE BETTER SUPPORT FOR THE EMBASSY IN THE FUTURE.

3. RESOURCES AVAILABLE TO THE TEAM:

A. UP-TO-DATE NEWS ON CONGRESSIONAL AND EXECUTIVE  
BRANCH ATTITUDES THAT MAY INFLUENCE HEARINGS AND ULTIMATE  
CONGRESSIONAL ACTIONS REGARDING BOLIVIA;

B. ABILITY TO MAKE A HIGHLY PERSONAL APPROACH TO  
PRESIDENT BANZER;

C. A LETTER FROM THE PRESIDENT OR SECRETARY TO PRESIDENT  
BANZER;

D. FULL COOPERATION OF DEA TO ASSIST THE TEAM IN ITS  
MISSION BY THE EFFECTIVE USE OF ITS LOCAL CONTACTS;

E. LEGAL EXPERTISE ON THIS PROBLEM, INCLUDING DETAILS  
OF THE MEXICAN SMALL-USER POLICY AS WELL AS LEGAL  
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MEMORANDA ON USG POLICY REGARDING SMALL-USER PROSECUTION;

F. EXPLORE DISCUSSIONS WITH EMBASSY LEGAL ADVISERS ON  
LEGAL OPTIONS AVAILABLE TO BOLIVIAN GOVERNMENT TO  
UTILIZE BOLIVIAN LAW TO DISPOSE OF CASES WHERE PROSECUTABLE  
EVIDENCE IS LACKING OR TO EXPLORE OTHER PERMISSIBLE  
EXECUTIVE ACTIONS. (FYI - SOME PARENTS HAVE SUGGESTED  
THAT THE GOB MIGHT BE ENCOURAGED TO DEPORT SOME OR ALL  
OF THE PRISONERS AS A "GOODWILL GESTURE" SIMILAR TO THE  
RECENT ACTION BY THE CUBAN GOVERNMENT. END FYI).

4. COMPOSITION OF THE TEAM: THE TEAM WOULD TENTATIVELY  
INCLUDE:

A. AMBASSADOR (RET) ROBERT WOODWARD, FORMERLY ASSISTANT  
SECRETARY AND AMBASSADOR TO SPAIN AND URUGUAY. HE  
WOULD HEAD THE TEAM AND WOULD BRING AREA EXPERTISE.  
HIS PRESENCE WOULD STRESS HIGH-LEVEL INTEREST.

B. VERNON MCANINCH, CONSUL GENERAL IN MEXICO. HE IS  
AN EXPERT ON THE MEXICAN PRISONER ISSUE AND WOULD BE  
ABLE TO CONSULT WITH THE EMBASSY ON PROVIDING PRISONER  
SERVICES.

C. LOUIS G. FIELDS, ASSISTANT LEGAL ADVISER. HE HAS  
BEEN INVOLVED IN PROBLEM THROUGHOUT AND WOULD BE THE  
TEAM'S LEGAL ADVISER.

D. LT. COL. (RET) WILLIAM A. CRENSHAW. HE IS A FORMER  
DEFENSE ATTACHE IN LA PAZ AND WAS A CLOSE PERSONAL  
FRIEND OF PRESIDENT BANZER. HE WOULD PROVIDE THE

INTIMATE PERSONAL APPROACH THAT COULD BE THE KEY TO THE MISSION'S SUCCESS.

5. THE TEAM MIGHT BE READY TO DEPART THE US DURING THE LAST WEEK IN JUNE. I UNDERSTAND THAT YOU WILL BE  
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DEPARTING LA PAZ ABOUT THAT TIME. HOWEVER, I WOULD LIKE YOU TO BE RESPONSIBLE FOR ARRANGING AS MUCH OF THE VISIT AS POSSIBLE BEFORE YOUR DEPARTURE. AFTER THAT, DCM BEAL, WHO IS FULLY CONVERSANT WITH AND EXPERT IN

HANDLING THIS SUBJECT, CAN COMPLETE PLANNING AND COORDINATE EFFORTS FOR THE VISIT.

6. WE DO NOT WANT TO DISRUPT OR IMPEDE ANY ON-GOING EFFORTS TO ASSIST US PRISONERS OR TO INTERFERE WITH THE EXCELLENT WORK YOU AND YOUR EMBASSY STAFF HAVE BEEN DOING. I WOULD WELCOME ANY THOUGHTS OR RECOMMENDATIONS YOU HAVE ON HOW WE MIGHT FINE TUNE THIS PROPOSAL.

CHRISTOPHER

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## Message Attributes

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**TAGS:** CASC, CARR, BL, US  
**To:** LA PAZ  
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